

Message Text

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PAGE 01 NEW DE 04183 261625Z

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ACTION FBO-05

INFO OCT-01 NEA-09 ISO-00 A-01 L-02 ABF-01 /019 W

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R 261420Z MAR 75

FM AMEMBASSY NEW DELHI

TO SECSTATE WASHDC 7751

INFO AMCONSUL BOMBAY

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E. O. 11652: N/A

TAGS: ABLD, IN

SUBJ: GENERATOR AIR FREIGHT PAYMENT

REF: STATE 067565

1. WITH THURSDAY AND FRIDAY HOLIDAYS IN INDIA, WE DON'T THINK ANY MONEY CAN BE MADE AVAILABLE TO HYDE BY APRIL 1.

2. WE HAVE ALREADY EXPRESSED OUR DOUBTS THAT GOI WILL CONVERT ANY OF THE RS-121,566 RELEASED TO PAN AVION TO COVER LOCAL COSTS INTO FOREIGN EXCHANGE (PARA. : NEW DELHI 3871). HOWEVER, CONSULATE GENERAL BOMBAY WILL MAKE A TRY.

3. WE EXPLAIN THE DIFFERENCE BETWEEN \$294,000 ON THE INVOICE FOR GENERATORS AND THE \$238,000 HOUSE TOLD US WAS PRICE HE HAD SOLD THEM FOR. FIGURE OF \$238,000 CAME FROM HOUSE IN RESPONSE TO A DIRECT QUESTION AS TO HOW MUCH SHYROW HAD BEEN CHARGED BY ATLANTIC ENGIN POWER CO. FOR THE GENERATORS DURING CONVERSATION REPORTED IN NEW DELHI 896.

4. AS REGARDS PARA 4 OF REFTTEL, IN DESCENDING ORDER OF LIKE-LIHOOD, WE BELIEVE GOI WOULD CONSIDER PAYMENT IN FOREIGN EXCHANGE FOR (1) AIR FREIGHT, (2) COST OF GENERATORS, (3) PRE-CONTRACT EXPENSES, AND (4) LEGAL EXPENSES IN THE U.S. WE THINK THE PROBABILITIES DROP OFF SHARPLY AFTER THE SECOND ONE. IN FACT, WE DON'T KNOW WHAT SORT OF ARGUMENT TO MAKE FOR (3) AND ESPECIALLY (4). WE WOULD JUDGE IT BETTER TO

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PAGE 02 NEW DE 04183 261625Z

CONTINUE TO TRY TO GET A SEPARATE DOLLAR PAYMENT FOR THE

AIR FREIGHT PLUS ANOTHER LUMP SUM DOLLAR PAYMENT WHICH INCLUDES THE COST OF THE GENERATORS AND A REASONABLE AMOUNT FOR DOLLAR EXPENSES AND PROFIT.

5. WE ARE TRYING TO REACH SAREEN (WHO HAS ASKED FOR AN APPOINTMENT WITH THE AMBASSADOR), TO SEE IF HE STILL SPEAKS FOR SHYROW AND PAN AVION AND IF SO TO SEE IF THEY ARE WILLING TO HAVE US APPROACH THE GOI FOR A COMPROMISE SETTLEMENT ALONG THE LINES PROPOSED ABOVE. WE WOULD FURTHER PROPOSE THAT ANY REMAINING RUPEES AFTER THE DOLLAR SETTLEMENT BY THE GOI IS DEDUCTED BE RELEASED WITH THE UNDERSTANDING THEY WILL BE USE-ABLE IN INDIA ONLY. THIS PROCEDURE MAY GET AROUND THE PREVIOUS GOI SUGGESTION THAT A PLAN BE SUBMITTED FOR THE USE OF THE RUPEES AS A FIRST STEP. AT LEAST WE')) TRY TO ARGUE THAT IT MAKES IT IRRELEVANT FOR THE PART TO BE PAID IN FOREIGN EXCHANGE. BECAUSE OF THE HOLIDAYS, WE DON'T EXPECT TO BE ABLE TO SEE SAREEN UNTIL NEXT WEEK.
SAXBE

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